



11-15-06

AF
12
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/796,448
Appellants: **Graef, et al.**
Filed: **March 9, 2004**
Title: **Cash Dispensing Automated
Banking Machine and Method**

Confirmation No. 2402
Art Unit 3654
Examiner Rakesh Kumar

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. 41.31)**

Appellants hereby appeal to the Board from the decision of the Primary Examiner, mailed August 28, 2006, regarding all unallowed claims (including rejected claims 2-11, 15-17, 23-24, and 35-39).

1. STATUS OF APPELLANTS

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity \$500.00

Notice of Appeal fee due \$500.00

11/15/2006 MBIZUNES 00000104 090428 10796448
01 FC:1401 500.00 DA

3. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Appellants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Appellants have inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$500.00

TOTAL FEE DUE \$500.00

5. FEE PAYMENT

The Commissioner is authorized to charge any necessary fee associated with the filing of this Notice of Appeal and any other fee due to Deposit Account No. 09-0428 (Diebold Self-Service Systems).

6. FEE DEFICIENCY

If any additional time extension and/or fee is required, this is a request therefor and to charge Deposit Account No. 09-0428 (Diebold Self-Service Systems).

If any additional fee for claims is required, charge Deposit Account No. 09-0428 (Diebold Self-Service Systems).



SIGNATURE OF PRACTITIONER

Reg. No. 31,029
Customer No. 28995
Tel. No.: (330) 721-0000

Ralph E. Jocke
WALKER & JOCKE
231 South Broadway
Medina, OH 44256